



### AMENDMENT TO THE CLAIMS

Claim 1 (**currently amended**): ~~An article of manufacture~~ A food package comprising  
a container,  
a calcium-containing dietary product within the container;  
a dietary plan for administering the food to an individual suffering from obesity, and  
a description indicating that ~~of a health effect of consuming the~~ a calcium-containing dietary  
product according the dietary plan produces a, ~~the described~~ health effect attributable being related  
to calcium and ~~selected from the group consisting of one or more of~~ increasing the ~~metabolic~~  
~~consumption of adipose tissue, metabolic change, regulation of body weight, inducing weight loss,~~  
reducing reduced weight gain, increasing fat loss, and/or reducing reduced fat gain,  
wherein the dietary plan comprises (a) administering to the obese individual one or more  
servings of the calcium-containing product, wherein the one or more servings comprises an amount  
of dietary calcium above suboptimal levels and at least about 773 mg per day, and (b) restricting  
said obese individual to a caloric intake below ad lib in a range of about 200 kcal to about 2500 kcal  
per day.

Claim 2 (**currently amended**): The package ~~article~~ of claim 1, wherein the description is in the form of printed material.

Claim 3 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the container ~~product~~ is packaged and the description is part of the package.

Claim 4 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the description directly accompanies the product.

Claim 5 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the description is imprinted on the container ~~product~~.

Claim 6 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the description indicates the amounts of calcium contained within the product, and recommended levels of calcium intake for regulation of body weight.

Claim 7 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the described effects further comprise inducing a metabolic change in an individual.

Claim 8 (**currently amended**): The package ~~article of manufacture~~ of claim 7, wherein the metabolic change comprises decreasing intracellular calcium concentrations ( $[Ca^{2+}]_i$ ), stimulating lipolysis, inhibiting lipogenesis, increasing the expression of white adipose tissue uncoupling protein 2 (UCP2), reducing serum insulin levels, thermogenesis, and/or decreasing the levels of calcitrophic hormones.

Claim 9 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the described effects comprise reducing or attenuating obesity.

Claim 10 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the described effects comprise attenuating weight gain and/or adiposity in children.

Claim 11 (**currently amended**): The package ~~article~~ of claim 1, wherein the product comprises a dairy product.

Claim 12 (**currently amended**): The package ~~article~~ of claim 1, wherein the product is selected from the group consisting of milk, yogurt, and cheeses.

Claim 13 (withdrawn): The article of claim 1, wherein the product comprises a non-dairy foodstuff naturally high in calcium.

Claim 14 (**currently amended**): The package ~~article~~ of claim 1, wherein the product comprises a food fortified with calcium.

Claim 15 (**currently amended**): The package ~~article~~ of claim 1, wherein the product is a dietary supplement.

Claim 16 (withdrawn): The article of claim 1, wherein the product is in the form of a liquid.

Claim 17 (withdrawn): The article of manufacture of claim 1, wherein the product is cereal and the printed material is printed on the cereal box.

Claim 18 (withdrawn): The article of manufacture of claim 1, wherein the product is milk and the printed material is printed on the milk container.

Claim 19 (withdrawn): The article of manufacture of claim 1, wherein the product is cheese and the printed material is printed on the cheese package.

Claim 20 (**currently amended**): The package ~~article of manufacture~~ of claim 1, wherein the product is yogurt and the description is printed ~~material is printed~~ on the yogurt container.

Claim 21 (withdrawn): The article of claim 1, wherein the product is food for a pet.

Claim 22 (**currently amended**): The package ~~article~~ of claim 1 wherein the therapeutically effective amount ~~described~~ is at least about 1000 mg/day of calcium.

Claim 23 (**currently amended**): The package ~~article~~ of claim 1 wherein the therapeutically effective amount ~~described~~ is at least about 1346 mg/day of calcium.

Claim 24 (**currently amended**): A food package ~~An article of manufacture~~ useful in stimulating the metabolic consumption of adipose tissue, comprising

a container,

a dairy product within the container; a dietary plan for administering the food to an individual suffering from obesity, and

a description indicating that consuming ~~printed material describing the obesity regulating effects of consuming~~ more than suboptimal amounts of dairy products produces a benefit attributable to the dairy products selected from the group consisting of increasing the metabolic consumption of adipose tissue, inducing weight loss, reducing weight gain, increasing fat loss, and/or reducing fat gain in the obese individual,

wherein the dietary plan comprises (a) administering to the obese individual on a daily basis one or more servings of the dairy product in an amount above suboptimal levels sufficient to increase metabolic consumption of adipose tissue, induce weight loss, reduce weight gain, increase fat loss, and/or reduce fat gain in the obese individual, the one or more servings comprising at least about 57 servings per month; and (b) wherein said individual is maintained on a restricted caloric diet below ad lib in the range of about 200 kcal to about 2500 kcal per day.

Claim 25 (**currently amended**): The package ~~article~~ of claim 24 wherein the more than suboptimal amount ~~described~~ is at least about 102 ~~57~~ portions of dairy per month.

Claim 26 (**currently amended**): The package of claim 1, ~~An article of manufacture useful in stimulating the metabolic consumption of adipose tissue, comprising calcium-containing products and further comprising~~ printed materials disclosing the weight loss advantages of high calcium diets.

Claim 27 (**currently amended**): The package ~~article of manufacture~~ of claim 26, wherein the printed materials are in the form of pamphlets.

Claim 28 (withdrawn): The article of manufacture of claim 26, wherein printed material is embossed or imprinted on the foodstuff and indicates the amounts of calcium contained within the foodstuff, recommended levels of calcium intake necessary for the metabolically assisted loss of adipose tissue, recommended BMI values, or recommended heights and weights for individuals.